

544
Received by
Nov 22
p.m. (5)

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

Sitting at Tokyo, Japan

THE UNITED STATES OF AMERICA; et al

- vs -

ARAKI, Sadao; et al

APPLICATION OF THE ACCUSED MUTO, AKIRA
FOR THE PRODUCTION OF WITNESSES

NOW COMES THE ACCUSED MUTO, Akira and requests an order and process for the production of the following persons as witnesses in his behalf:

1. TERADA Seichi

- a. This person is a Japanese, resident in Tokyo;
- b. At the time of the China Incident he was on the General Staff and will give relevant testimony as to operational plans and particularly as to MUTO's lack of responsibility in any plans or conspiracy in the China Incident;

2. SAITO Yoshie

- a. This person is a Japanese, resident in Tokyo;
- b. This person was a diplomatic advisor to General Matsui and can give relevant testimony bearing on MUTO's lack of responsibility for the so-called Nanking Affair;

3. NAKAYAMA Yasuto

- a. This person is a Japanese, resident in Tokyo;
- b. He was formerly a Staff Officer under General MATSUI and can give relevant testimony as to MUTO's lack of responsibility for the so-called Nanking Affair;

4. MATSUI Iwane
 - a. This person is of Japanese nationality and is one of the accused in the present trial;
 - b. He can give relevant testimony similar to that of SAITO and NAKAYAMA, above;
5. IWAKURO Hideo
 - a. This person is a Japanese, resident of Tokyo;
 - b. He was formerly in charge of a section in the Military Affairs Bureau under HUTO and can give relevant testimony as to HUTO's policies, declarations, utterances and attitude toward the initiation of war;
6. IKAWA Tadao
 - a. This person is a Japanese, resident of Tokyo;
 - b. This person took part in the pre-war negotiations with United States and will give relevant testimony as to HUTO's policies, opinions and intentions
7. ISHII Akiho
 - a. This person is a Japanese, resident of Nagano Prefecture;
 - b. He was formerly chief of a division of the Military Affairs Section under HUTO and was thoroughly familiar with United States-Japanese negotiations. He will give relevant testimony regarding said negotiations and HUTO's connection therewith;
8. SATO Kenryo
 - a. This person is a Japanese and is one of the accused in the present trial;
 - b. He will give relevant testimony very similar to that of ISHII above;

9. NISHIURA Susumu
 - a. This person is a Japanese, resident of Tokyo;
 - b. He was a senior member of a section in the Military Affairs Bureau when MUTO was Chief of said bureau and is an authority on Japanese army system and organization. He will give relevant testimony as to the organization of the army and the duties, responsibilities and powers of such offices as were held by MUTO;
10. YAMAMOTO Kumaichi
 - a. This person is a Japanese, resident of Tokyo;
 - b. He was Chief of a bureau with the Foreign Office when MUTO was Chief of Military Affairs Bureau and will give relevant testimony as to MUTO's efforts for a peaceful settlement with the United States;
11. OASA Tadao
 - a. This person is a Japanese, resident of Tokyo;
 - b. He was formerly a Minister of State and will give relevant testimony as to MUTO's alleged political activities;
12. YUZAWA Michio
 - a. This person is a Japanese, resident of Tokyo;
 - b. He was formerly Vice Minister of Home Affairs, later Home Minister, and will give relevant testimony similar to that of OASA above;
13. KAMEI Kan-ichiro
 - a. This person is a Japanese and resident of Kamakura;
 - b. He was a former member of House of Representatives and will give relevant testimony showing that MUTO acted strictly within the scope of his duties as Chief of the Military Affairs Bureau;

14. HOSHINO Naoki

- a. This person is of Japanese nationality and one of the accused in the present trial;
- b. Formerly Chief Secretary of the Cabinet, he will give relevant testimony regarding MUTO's alleged participation in various conferences, and particularly on the duties of an "explainer" in such conferences;

15. TOJO Hideki

- a. This person is of Japanese nationality and one of the accused in the present trial;
- b. As former Premier and War Minister, he will give relevant testimony as to duties, responsibilities and powers of the Chief of the Military Affairs Bureau;

WHEREFORE, your petitioner prays that an appropriate order be entered herein directing the production of the above named witnesses.

The precise date upon which such witnesses before the Tribunal will be required cannot be stated at this time, but the petitioner states that the need for their availability for purposes of interview and consultation is immediate.

MUTO Akira

by

/s/ S. Okamoto
t/ OKAMOTO Shoichi

/s/ Roger F. Cole
t/ Roger F. Cole
His Counsel

November 8, 1946